

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re: Mark Kesel

Case No.

10-41653

CHAPTER 11
MONTHLY OPERATING REPORT
(SMALL REAL ESTATE/INDIVIDUAL CASE)

SUMMARY OF FINANCIAL STATUS

MONTH ENDED: 04/30/10

PETITION DATE: 02/16/10

1. Debtor in possession (or trustee) hereby submits this Monthly Operating Report on the Accrual Basis of accounting (or if checked here the Office of the U.S. Trustee or the Court has approved the Cash Basis of Accounting for the Debtor). Dollars reported in \$1
 2. Asset and Liability Structure

	End of Current Month	End of Prior Month	As of Petition Filing
a. Current Assets	\$28,907	\$31,570	
b. Total Assets	\$2,721,830	\$2,695,755	\$2,645,342
c. Current Liabilities	\$0	\$0	
d. Total Liabilities	\$4,078,920	\$4,078,920	\$4,083,006
 3. Statement of Cash Receipts & Disbursements for Month

	Current Month	Prior Month	Cumulative (Case to Date)
a. Total Receipts	\$8,763	\$6,979	\$21,923
b. Total Disbursements	\$7,995	\$6,979	\$23,818
c. Excess (Deficiency) of Receipts Over Disbursements (a - b)	\$768	\$0	(\$1,895)
d. Cash Balance Beginning of Month	\$3,907	\$0	\$6,570
e. Cash Balance End of Month (c + d)	\$4,675	\$0	\$4,675
 4. Profit/(Loss) from the Statement of Operations

	Current Month	Prior Month	Cumulative (Case to Date)
5. Account Receivables (Pre and Post Petition)	N/A	N/A	N/A
6. Post-Petition Liabilities	\$0		
7. Past Due Post-Petition Account Payables (over 30 days)	\$0		
- At the end of this reporting month:
8. I have any payments been made on pre-petition debt, other than payments in the normal course to secured creditors or lessors? (if yes, attach listing including date of payment, amount of payment and name of payee) Yes ☒ No ☒
 9. Have any payments been made to professionals? (if yes, attach listing including date of payment, amount of payment and name of payee) Yes ☒ No ☒
 10. If the answer is yes to 8 or 9, were all such payments approved by the court? Yes ☒ No ☒
 11. Have any payments been made to officers, insiders, shareholders, relatives? (if yes, attach listing including date of payment, amount and reason for payment, and name of payee) Yes ☒ No ☒
 12. Is the estate insured for replacement cost of assets and for general liability? Yes ☒ No ☒
 13. Are a plan and disclosure statement on file? Yes ☒ No ☒
 14. Was there any post-petition borrowing during this reporting period? Yes ☒ No ☒
 15. Check if paid: Post-petition taxes ☒; U.S. Trustee Quarterly Fees ☒; Check if filing is current for: Post-petition tax reporting and tax returns: ☒ (Attach explanation, if post-petition taxes or U.S. Trustee Quarterly Fees are not paid current or if post-petition tax reporting and tax return filings are not current.)

I declare under penalty of perjury I have reviewed the above summary and attached financial statements, and after making reasonable inquiry believe these documents are correct.

Date: 5-13-10

Responsible Individual

Revised 1/1/98

SCHEDULES TO THE BALANCE SHEET

Schedule A Rental Income Information

List the Rental Information Requested Below By Properties (For Rental Properties Only)

	<u>Property 1</u>	<u>Property 2</u>	<u>Property 3</u>
1 Description of Property	1306 MLK Jr Way		
2 Scheduled Gross Rents	\$16,768		
Less:			
3 Vacancy Factor			
4 Free Rent Incentives			
5 Other Adjustments			
6 Total Deductions	\$8,005	\$0	\$0
7 Scheduled Net Rents	\$8,763	\$0	\$0
8 Less: Rents Receivable (2)			
9 Scheduled Net Rents Collected (2)	\$8,763	\$0	\$0

(2) To be completed by cash basis reporters only.

Schedule B Recapitulation of Funds Held at End of Month

	<u>Account 1</u>	<u>Account 2</u>	<u>Account 3</u>
10 Bank	Wells Fargo Bank		
11 Account No.	9526265245		
12 Account Purpose	Personal		
13 Balance, End of Month	\$4,675	\$0	\$0
14 Total Funds on Hand for all Accounts	\$4,675		

Attach copies of the month end bank statement(s), reconciliation(s), and the check register(s) to the Monthly Operating Report.

STATEMENT OF CASH RECEIPTS AND DISBURSEMENTS

Increase/(Decrease) in Cash and Cash Equivalents

For the Month Ended 04/31/10

		Actual Current Month	Cumulative (Case to Date)
Cash Receipts			
1	Rent/Leases Collected		
2	Cash Received from Sales		
3	Interest Received		
4	Borrowings		
5	Funds from Shareholders, Partners, or Other Insiders		
6	Capital Contributions		
7	Net Rents Proceeds including laundry income	\$8,763	\$21,923
8			
9			
10			
11			
12	Total Cash Receipts	\$8,763	\$21,923
Cash Disbursements			
13	Selling		
14	Administrative		
15	Capital Expenditures		
16	Principal Payments on Debt		
17	Interest Paid		
	Rent/Lease:		
18	Personal Property		
19	Real Property		
	Amount Paid to Owner(s)/Officer(s)		
20	Salaries		
21	Draws		
22	Commissions/Royalties		
23	Expense Reimbursements		
24	Other		
25	Salaries/Commissions (less employee withholding)		
26	Management Fees		
	Taxes:		
27	Employee Withholding		
28	Employer Payroll Taxes		
29	Real Property Taxes		
30	Other Taxes		
31	Other Cash Outflows:		
32	Living Expenses	\$5,220	\$15,493
33	Mortgage Payment	\$2,775	\$8,325
34			
35			
36			
37	Total Cash Disbursements:	\$7,995	\$23,818
38	Net Increase (Decrease) in Cash	\$768	(\$1,895)
39	Cash Balance, Beginning of Period	\$3,907	\$6,570
40	Cash Balance, End of Period	\$4,675	\$4,675

BALANCE SHEET
(Small Real Estate/Individual Case)
For the Month Ended 04/31/10

Assets		Check if Exemption Claimed on Schedule C	Market Value
Current Assets			
1	Cash and cash equivalents (including bank accts., CDs, etc.)		\$3,907
2	Accounts receivable (net)		
3	Retainer(s) paid to professionals		
4	Other: <u>Retainer to Bankruptcy Attorney</u>		\$25,000
5			
6	Total Current Assets		\$28,907
Long Term Assets (Market Value)			
7	Real Property (residential)		\$859,000
8	Real property (rental or commercial)		\$1,500,000
9	Furniture, Fixtures, and Equipment	X	\$5,225
10	Vehicles	X	\$4,000
11	Partnership interests		
12	Interest in corporations		
13	Stocks and bonds		\$7,125
14	Interests in IRA, Keogh, other retirement plans	X	\$315,318
15	Other: <u>Small balances from mostly dormant bank ac</u>		\$855
16	Personal items	X	\$1,400
17	Total Long Term Assets		\$2,692,923
18	Total Assets		\$2,721,830
Liabilities			
Post-Petition Liabilities			
Current Liabilities			
19	Post-petition not delinquent (under 30 days)		
20	Post-petition delinquent other than taxes (over 30 days)		
21	Post-petition delinquent taxes		
22	Accrued professional fees		
23	Other: _____		
24			
25	Total Current Liabilities		\$0
26	Long-Term Post Petition Debt		
27	Total Post-Petition Liabilities		\$0
Pre-Petition Liabilities (allowed amount)			
28	Secured claims (residence)		\$889,373
29	Secured claims (other)		\$1,556,810
30	Priority unsecured claims		\$0
31	General unsecured claims		\$1,632,737
32	Total Pre-Petition Liabilities		\$4,078,920
33	Total Liabilities		\$4,078,920
Equity (Deficit)			
34	Total Equity (Deficit)		(\$1,357,090)
35	Total Liabilities and Equity (Deficit)		\$2,721,830

NOTE:

Indicate the method used to estimate the market value of assets (e.g., appraisals; familiarity with comparable market prices, etc.) and the date the value was determined.